IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
JAIPUR BENCH
S.B. Civil Writ Petition No.1672/07
Salga Ram Vs. State of Raj. & Ors.

13.04.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri S.K. Singodiya for petitioner.

The petitioner has challenged the order dated 25.7.2006 whereby he has been censored for abuse of office of Sarpanch held by him of Gram Panchayat Kochhor, Panchayati Samiti Data Ramgarh, Distt. Sikar on the charge that the pattas were issued by him in favour of his three sons bearing no.16, 17 & 18 in violation of Rule 266 of Rajasthan Panchyat (General) Rules, 1961.

Learned counsel submits that petitioner did not commit any illegality

because the Gram Panchayat has issued no objection certificate and that the land for which pattas were issued were adjoining his residence and was already in their possession. He submits that Gram Panchayat appointed panchas to inspect the site and they prepared the inspection report and thereafter Gram Panchayat invited objections and when no objection was received, it proceeded to issue patta, therefore, the requirement of the Rules was fulfilled.

Having heard the learned counsel for the petitioner, I find that the competent authority has in exercise of its power under Section 38(1)(b) of the Rajasthan Panchayati Raj Act, 1994 has merely censored the petitioner for abusing the office of Sarpanch because by

time final order was passed he ceized to hold the said office. The order does not suffer from any infirmity.

I do not find any illegality or irregularity in the impugned order.

The writ petition being no substance is accordingly dismissed.

(Mohammad Rafiq),J.

Rs/-